

**ASSEMBLY BILL**

**No. 320**

**Introduced by Assembly Member Kaloogian**

February 8, 1999

An act to add Section 316.3 to the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 320, as introduced, Kaloogian. Dependent children: medical background.

Existing law provides that if a child is taken into custody and is not released to a parent or guardian, and a petition to declare the child a dependent child has been filed, the court shall hold a detention hearing to determine if the child shall be further detained. Existing law provides each parent or guardian shall have the right to representation by counsel at every dependency hearing, which counsel may be appointed by the court if the parent or guardian cannot afford it. A willful violation of a court order is a contempt, punishable as a misdemeanor.

This bill would require the court to enter an order, at the detention hearing, directing counsel for a parent appearing at the hearing, or the parent if unrepresented, to file with the court, prior to the hearing on the petition, specified medical background information with respect to the child's parents, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 316.3 is added to the Welfare and  
2 Institutions Code, to read:  
3 316.3. At the detention hearing, the court shall enter  
4 an order specifying that counsel for each parent  
5 appearing at the detention hearing or, if a parent is not  
6 represented by counsel, that parent shall provide to the  
7 court a complete medical background of the child's  
8 mother and the child's father, if known, or all presumed  
9 or alleged fathers, as provided in this section. The medical  
10 backgrounds of the child's parents shall be provided on  
11 forms approved and currently in use by the State  
12 Department of Social Services for the collection of  
13 medical background information from birth parents. The  
14 completed medical background forms shall be filed with  
15 the court prior to the hearing on the petition filed  
16 pursuant to Article 8 (commencing with Section 325) and  
17 shall become part of the court's file with respect to the  
18 child. Willful failure by counsel, or a parent who is not  
19 represented by counsel, to comply with the court's order  
20 shall be punishable as contempt as provided in Section  
21 166 of the Penal Code.

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